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PA-000.05276-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Frank Sansevero

Serial No.: 10/550,927

Filed: 09/28/2005

Group Art Unit: 3651

Examiner: Prakasam, Ramya G.

For: COMBINED TRAFFIC FLOW AND MAINTENANCE
INFORMATION DISPLAY FOR A PASSENGER CONVEYOR

REPLY BRIEF

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in reply to the Examiner's Answer mailed on April 16, 2008.

There are several errors in the Examiner's Answer that warrant comment in addition to the arguments already presented by Appellant.

**The Examiner's Interpretation of "Maintenance Information"
Is Not Reasonable.**

The Examiner's interpretation of "maintenance information," is based upon how "maintenance" "can be" or "may be" defined. A reasonable interpretation as required by the MPEP, however, requires that claim language be interpreted consistent with Applicant's specification and consistent with the way in which such a term would be construed or understood by a person of ordinary skill in the art. The Examiner's position that any information regarding a conveyor being stopped or currently running or carrying on or continuing is operational status

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information and, therefore, maintenance information is inconsistent with Applicant's use of the term and the way the term is understood by those of skill in the art.

Maintenance of a conveyor is something that occurs when a mechanic or technician arrives at a site to perform a specific maintenance procedure for purposes of repair, for example. Maintenance personnel are not informed by an indicator that tells a passenger whether a particular conveyor is moving in a particular direction or stopped. Maintenance personnel are more concerned with maintenance information described, for example, on page 4, beginning at line 16 of Appellant's specification. MPEP 2111 requires an interpretation that is consistent with such an understanding of maintenance information.

The Examiner's position regarding the displays of the *Mehlert* reference and whether they present maintenance information as recited in Appellant's claims is unreasonable because it is overbroad and it ignores the normal use of the term maintenance information in the passenger conveyor industry.

Contrary to the Examiner's assertion that "Applicant fails to indicate the specific type of maintenance information," claims 12 and 22 each recite specific types of maintenance information that are clearly distinct from an indication of a direction of movement. At a bare minimum, the rejection of those two claims has to be reversed.

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The Examiner's Position Regarding A Single
Visible Indication Is Incorrect.

The Examiner is incorrect in asserting that "there is nothing in the claims that require two different visible indications." The display of Appellant's claims 1 and 13 clearly provides two different indications. Two indications are recited in the claims and there is no basis to ignore that express limitation of the claims.

Additionally, several dependent claims add limitations that are particular to having two different visible indications.

Claims 2 and 14 recite two different modes for providing the two different indications. Two different modes require two different indications, not a single indication. If there were only one indication, then the two different modes would be meaningless.

Claims 3 and 16 recite two different display panels that each display a respective one of the two different indications.

Claim 10 recites that the controller controls the display to provide one indication *or* the other.

Claims 12 and 22 each recite specific types of maintenance information that are clearly distinct from an indication of a direction of movement.

Claims 29 and 30 each recite that the indication of a direction of movement is *distinct and separate from* the indication of maintenance information. Clearly claims 29 and 30 require two different indications.

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Conclusion.

For all of the reasons presented by Appellant in Appellant's opening brief and because of the erroneous conclusions made by the Examiner as indicated in the previous paragraphs, the rejections must be reversed.

Respectfully submitted,

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Dated: June 16, 2008

CERTIFICATE OF FACSIMILE

I hereby certify that this Reply Brief, relative to Application Serial No. 10/550,927, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on June 16, 2008.

David Gaskey

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